

REMARKS/ARGUMENTS

Claims 33-77 are pending in this application. New dependent claims 78-81 have been added. No new matter has been added. Applicants respectfully request reconsideration of this application.

Claims 33-77 were rejected under 35 U.S.C. 102(b) as being anticipated by Labedz et al. (US Patent No. 5,608,854).

Applicants respectfully traverse the rejection. The Labedz reference is directed towards a method of displaying real-time system performance parameters of a cellular communication system to a system operator (col. 1, lines 55-59, col. 3, lines 24-28). Applicants' invention, on the other hand, is directed to designing, managing, optimizing or maintaining a communications network through the use and display of predictions, comparisons and physical environment – aspects which are neither taught nor suggested by the cited reference.

MPEP 2131 sets forth the requirements for anticipation and states that “to anticipate a claim, the reference must teach every element of the claim”. This section of the MPEP goes on to state (citing case law, references to which have been omitted) that “a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference” and “the identical invention must be shown in as complete detail as is contained in the ... claim”. Moreover, “the elements must be arranged as required by the claim”. The cited reference fails to meet this requirement for anticipation of any of the rejected claims.

Claim 1 recites: “(C) one or more prediction models which use the computerized model and the performance attributes of specific components of said plurality of system components to predict performance characteristics of said communications network”. There is no teaching or suggestion of utilizing prediction models in Labedz. Labedz deals with displaying real-time

information as described throughout the reference, such as in col. 4, lines 17-18 where the reference recites “the system operator may visualize the present operation of they system”.

Claim 1 further recites: “performance information being any one or more of the following:

(A) showing a comparison of actual performance measurements to predicted performance values,

(B) showing a comparison of actual performance measurements taken during two or more measurement runs, and

(C) showing a comparison of at least two different predictions made with at least two different simulations.

Labeledz fails to teach or suggest showing comparisons of any kind. Additionally, Labeledz is not simulating but rather displaying real-time cellular performance data to an operator. As discussed in col. 2, lines 40-46 of Labeledz: [A]s performance parameter data changes with time e.g. during system operation, the defining parameters are altered such that the shape representing the system element is modified. In this manner...system elements can be readily displayed to and understood by a system operator.”

Claim 1 also recites: “a computerized model which represents a physical environment in which a communications network may be installed”. Thus, Applicants’ physical environment extends beyond that of the cellular communication system elements displayed by Labeledz. For example, Applicants’ displayed physical environment may include, as described on page 14, lines 20-29 walls, floors, foliage, buildings, hills and other obstacles that affect radio waves or which impede or dictate the routing of wiring paths and other wired components. The physical environment impacts system performance. The ability to predict and compare system performance in light of physical environments is beneficial to designing, managing, optimizing or maintaining a communications network. Dependent claims 78-81 have been added further emphasizing these points.

Similar arguments apply to independent claim 52.

Accordingly, the rejections of independent claims 1 and 52 are overcome. Claims 2-51 and 53-77 provide further limitations to what are believed to be allowable independent claims and hence are also in condition for allowance. Claims 33-77 are thus believed to be in condition for allowance.

As such, the Applicants believe that the subject application, as amended, is in condition for allowance. Such action is earnestly solicited by the Applicants.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicant's attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

The Commissioner is hereby authorized to charge Deposit Account 502117, Motorola, Inc, with any fees which may be required in the prosecution of this application.

Respectfully submitted,

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